

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 126 final
Brussels, 15.04.1994

**Communication from the Commission to the Council and
the European Parliament concerning the implementation
of Council Decision 86/85/EEC of 6 March 1986
establishing a Community Information System
for the control and reduction of pollution caused by
the spillage of hydrocarbons and other harmful substances at sea.**

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1. Introduction

Article 5 of Council Decision 86/85/EEC establishing a Community Information System (CIS) for the control and reduction of pollution caused by the spillage of hydrocarbons and other harmful substances at sea provides that every two years the Commission shall draw up and forward to the Council and the European Parliament a report on the operation of the information system and the use made of it by the Member States.

The first such report was submitted to the Council in 1989 ⁽²⁾

Following this report, several exchanges of views at the level of experts in both the Community and other international frameworks have led to the conclusion that the information system should be consolidated (see para. 4 for details); this consolidation has resulted in a considerable amount of work.

This is therefore the second such report on the operation of the system.

2. Implementation of the system

The Community Information System is an integral part of the Community Action Plan for the control and reduction of pollution by hydrocarbons and other harmful substances discharged at sea.

The Council Decision 86/85/EEC of 6th March 1986 enlarged the field of application of a previous decision 81/971/EEC, which covered spillages of hydrocarbons only, to harmful substances other than hydrocarbons.

The first preliminary version of the inventory of resources for response to spills at sea of harmful substances other than hydrocarbons was distributed in November 1987.

Five editions of the System have already been published: in June 1985, June 1986, November 1987, November 1988 and March 1990.

The System manual, which provides operational data and general information on equipment and expertise available in each of the Member States, was first established following this Council Decision of 1981. At that time, it was of course limited to information related to spills of Hydrocarbons.

⁽¹⁾ OJ L77 of 22 March 1986

⁽²⁾ COM (89) 01/2 - 8 March 1989

By Council Decision 88/346/EEC⁽³⁾ of 16 June 1988 the field of application was enlarged to cover certain inland waters.

3. The use of the system

The use of the system by the Member States has been affected by several factors. Firstly, the Member States have in general improved their own national capability to respond to accidental pollution of the sea.

Secondly, the network between national contact points, including individuals dealing with such incidents - has developed considerably and has thus replaced some of the need for the Information System.

Finally, a number of regional agreements for cooperation in such situations have improved the co-operation between Member States in their response to accidental pollution of the sea.

It also seems that the Community Information System, as part of the Community Action Plan, has played an important role in this development during the last 12 years.

In practical terms, the system was used in the Gulf pollution incident in the beginning of 1991 and in the tanker Haven incident off of Genoa also in 1991. In addition, the system has been used by the representatives of the compensation schemes, in particular on the occasion of the Aegean Sea accident in December 1992.

However, in general it seems that the frequency of using the system is decreasing. This is evident when making a comparison with the first report, and a possible simplification of the system could be considered at the next report.

All this should be seen as evidence of the success of the Community action itself. It should also be stressed that the Member States have generally provided and validated the information mentioned in para. 2

4. Establishment of a consolidated version of the Community Information System

The development of the System, first involving only hydrocarbons and then including other harmful substances, led to a certain degree of overlap and differences between the presentation of each of the sections.

A new consolidated version has now been developed with the specific aim of producing a more operational tool for those directly involved in responding to accidental pollution. Consolidation called for the rationalisation of the categories of data collected and, through the adoption of new formats, integration of information previously presented in various parts of the System. The part of the manual named "the catalogue" has been updated and extended so that it now will provide comprehensive coverage of all the resources listed in the national inventories. This restructuring of the System has made it possible to produce the manual in a more convenient format enabling the information compiled within it to be accessed more easily.

⁽³⁾ OJ L158 of 25 June 1988

In a broader context, collection of very similar data is undertaken by Member States who are also party to other regional or international agreements that promote intergovernmental co-operation in pollution response such as the Bonn Agreement, the Barcelona Convention and the Helsinki Convention. In drawing up the new consolidated version of the System, much attention has been devoted to the need not to duplicate or conflict with arrangements made under these agreements.

A validation procedure was initiated in the form of a request to the national competent authorities to confirm the respective national information as now listed in the draft preliminary version of the consolidated System. The drafting of the new consolidated version and the following validation procedure have, for various reasons, been time consuming with a delay of this report as a result.

It seems realistic to expect that the new System - and in particular the Inventory - can be used in other European regional or bilateral agreements dealing with cooperation in combating oil and other harmful substances and thereby reduce the considerable amount of double work done by a number of Member States which are also members of one or more such agreements.

In this context it should be mentioned that in the Bonn Agreement, the Commission has taken the lead in proposing new equipment lists in the Bonn Agreement manual based on the new consolidated System with the view to avoid double work to the greatest extent possible.

The new consolidated version does not cover inland waters as such but this part of the Council Decision 88/346/EEC⁽¹⁾ is considered as implemented by various follow up actions based on the Council Resolution of 8 July 1991⁽²⁾ on improving mutual aid between Member States in the event of natural or technological disaster.

Thus an "Operational Manual of Civil Protection in the European Community" has been established. This manual covers all relevant information related to the response to spills of chemicals and oil in inland waters, and in particular contains relevant information on :

- competent authorities;
- national contact points on a 24H/24H basis;
- cooperation officers;
- sources of expertise;
- register of means;
- guidelines for cooperation officers.

This manual has been established more recently than the Community Information System (CIS) and is based on the experience gained with the CIS. Although the organisation of the Operational Manual is quite different from the Community Information System, it covers what is considered necessary for responding to spills in inland waters.

⁽¹⁾ OJ L 158 of 25 June 1988

⁽²⁾ OJ C 198 of 27 July 1991

5. Conclusions and future aspects

It is the impression of the Commission that the interest in the Community Information System is still at a reasonable level. This has also been evident following the creation of the International Convention on Oil Pollution Preparedness, Response and Co-operation in November 1990 (the OPRC convention).

Furthermore, interest has been expressed by several international organisations, notably UNEP and IMO, and it is possible that the EEC Task Force system in relation to the OPRC convention could form a model for a Task Force system on a worldwide basis.

This opinion was also reflected at the 21st meeting of the Advisory Committee on the control and reduction of Pollution caused by oil and other Harmful substances discharged at sea (ACPH) at its meeting in Brussels on 18 February 1992 and confirmed at its 22nd meeting on 1-2 March 1993.

In general, the members of the Committee felt that the new consolidated version of the system was substantially better than the previous version and that it should be published as soon as possible due to the very long delay in its preparation.

However, during the 21st meeting of the Committee, some experts wondered whether collecting comprehensive data on spill response capabilities was necessary and suggested that the System should be considerably simplified. The Commission believes that there is no need for introducing any modifications at this moment in order to allow the new consolidated version of the system to be well tried and tested. However, it could be envisaged to proceed in the future towards a simplified version of the System.

The table of contents of the new consolidated Community Information System is annexed.

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COM(94) 126 final

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Catalogue number : CB-CO-94-134-EN-C

ISBN 92-77-67504-7
